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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,709	03/15/2004	Ryouta Nonaka	L8612.04109	8975

24257 7590 08/11/2005

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EXAMINER

YOUNG, JANELLE N

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/799,709	Applicant(s) NONAKA ET AL.	
	Examiner Janelle N. Young	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/14/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 through 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 through 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>03/14/2003</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because they are not clearly described in English. The drawings contain parts that are labeled in Japanese. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The title of the invention ("Exchange") is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be limited to a single paragraph on a separate sheet within the range of 50 to 150 words.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 recites the limitation in "the extension stations" (lines 7 and 9-10, two occasions). There is insufficient clear antecedent basis for this limitation in the claim.

Claim 2 recites the limitation in "the number of calls" (line 2). There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitations in "the longest waiting time" (lines 3-4) and in "the data" (lines 4-5). There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Honda et al. (US Patent 5592542).

As to claim 1, Honda et al. teaches an exchange (overall block diagram of an exchange, figure 2) that has a call termination waiting table (routing table 21, figure 2 and 3), which stores calls to an extension station, which belongs to an extension group (see groups G1-Gn, figure 2) per extension group number. (Col. 5, lines 38-42; Col. 6, lines 39-54; and figure 4&10) In addition, Honda et al. also teaches that a controller (Call-data buffers 3a-3n, figure 5) stores a call left unconnected to a any extension station in an extension group in a call termination waiting table as a call to be answered, and references the call termination waiting table once the extension station are now ready for answering calls and in case that two or more extension groups to be answered in the call termination waiting table (Col.6, lines 39-54), determines to an extension group whose calls to be answered are terminated to an extension station, in accordance with the priority of extension group to which the call to be answered belongs. (Abstract; Col. 3, lines 2-7&18-26; and figure 1,2, &10)

As to claim 5, Honda et al. teaches a controller (trunk controller 12, figure 2) that once the extension stations are now ready for answering calls, references the call termination waiting table, and the controller terminates calls waiting to be answered in the order they terminated unless any of the extension groups accommodating the calls waiting to be answered is set to priority call termination. (Abstract; Col. 1, lines 10-16 & line 66 – Col. 2, line 3; Col. 2, lines 23-36; Col. 3, lines 27-47; and figures 1, & 5-8)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over as applied to claims 1 and 5 above Honda et al. (US Patent 5592542), and further in view of Taylor et al. (US Patent 4400587).

As to claims 2 and 3, the teachings of Honda et al. have been discussed above in the rejections of claims 1 and 5. What Honda et al. does not explicitly teach is the method and system that handles the re-routing of excess calls to other extensions (destinations). This feature is known in the art as "overflow".

However, Taylor et al. teaches an ACD/exchange with a controller that determines the number of calls waiting to be answered in an extension group exceeds a first count, the controller notifies the extension stations which belong to the extension group that the number of call waiting to be answered exceeds the first count; and if it exceeds a second count, the controller terminates (overflows) a call waiting to be answered to another destination. (Abstract; Col. 4 lines 3-5, 39-44, 48-53; Col. 5, lines 9-15; Col. 6, lines 22-27; and figures 1-3, & 7 of Taylor et al.)

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate the overflow feature (assigning incoming calls to extensions, but in selected circumstances re-routing the excess calls to other

extensions), as taught by Taylor et al., in the exchange of Honda et al., because Honda et al. already teaches that incoming calls are routed to an extension in the order of priority.

The motivation of this combination would be to provide better customer service. The prioritizing system taught by Honda et al. would be useful in connecting calls waiting to be answered. This prevents the call recipient from missing a business opportunity from an "important customer" or high priority call that may be left unanswered when there is large volume of incoming calls. Again, the "overflow" feature is an old and well known.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Honda et al. (US Patent 5592542) in view of Norio et al. (US Patent 5432846).

As to claim 4, the teachings of Honda et al. have been discussed above in the rejections of claims 1 and 5. What Honda et al. does not explicitly teach detecting and notifying the status of call waiting to be answered to an agent.

However, Norio et al. teaches an exchange that fetches (detects), from a call termination waiting table, at least (the alarm information, Abstract of Norio et al.) the number of calls waiting to be answered and the longest waiting time among the calls waiting to be answered. (Abstract; Col. 2, lines 43-56; and figures 13 & 15 of Norio et al.)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a display corresponding to incoming calls' hold status, as

taught by Norio et al., in the exchange of Honda et al. because by displaying the hold status and the number of calls waiting, the agent is able to prioritize which call will be answered next.

The motivation of this combination would be to provide further priority data. Once all other higher priority callers are answered, then the longest waiting time calls are to be answered next.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Arbel et al. (US Patent 5276731) teaches a method and apparatus for handling incoming calls and, in particular: (a) for delivering messages to calling parties; (b) prioritized screening of incoming calls; and (c) for re-routing incoming calls on the basis selection criteria. (Abstract for Arbel et al.)

Foladare et al. (US Patent 5625680) teaches a method ad system for prioritizing telephone calls used in call treatment for the connection, termination, or redirection incoming calls. (Abstract of Foladare et al.)

Televerket et al. (EP Patent 0564756 A1) teaches a method and arrangement for routing incoming traffic in a communication system to predetermined extensions and to prioritize important customers. (Col. 1, line 57 – Col. 2, line 5 of Televerket et al.)

These methods and apparatus in combination can predetermine, display, answer, and/or re-route incoming calls and calls waiting according to priority. This

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eliminates the situations of getting a busy signal and a business missing a call from an "important customer".

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janelle N. Young whose telephone number is (571) 272-2836. The examiner can normally be reached on Monday through Friday: 8:00 am through 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J.N.Y
August 1, 2005


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